

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:15-CR-154
)	
GEORGE MARCUS HALL,)	(REEVES / GUYTON)
)	
Defendant.)	

ORDER

This case is pending before the Court on the Objection to Forfeiture Proceeding without Notice to Potential Claimant Knox County, Tennessee [Doc. 47], filed on April 13, 2016, and referred [Doc. 50] to the undersigned on the following day. Knox County objects to the criminal forfeiture of real property in this case, arguing that the Government failed to provide Knox County with proper direct notification of forfeiture. The Government filed a response [Doc. 49], and Knox County filed a reply [Doc. 61]. On April 27, 2016, the parties appeared before the undersigned for a hearing on these filings. At that time, Knox County argued that if the Court granted a hearing on its interest in the properties to be forfeited in this case, it would propose remedies other than the payment of property taxes due at the time of the entry of the final order of forfeiture. In this regard, Knox County proposed delaying entry of the final order of forfeiture until the day of the sale of the property, so that taxes could continue to accrue on the property up until the date it was sold.

On May 11, 2016, the Government filed a post-hearing brief [Doc. 77] and asks the Court to “accept this post-hearing brief in order to make a legal finding as to whether the Supremacy Clause should apply to all property forfeited to the United States and, if so, whether a local taxing authority is entitled to seek an alternative remedy, such as seeking a delay in the entry of a final order

of forfeiture, in order to recoup taxes it is prohibited from assessing.” The Court finds that the Government’s post-hearing brief relates to issues raised for the first time in this case at the April 27 hearing. Accordingly, the Court accepts and will consider the Government’s post-hearing brief. Knox County may file a response to the Government’s post-hearing brief on or before **May 25, 2016**.

IT IS SO ORDERED.

ENTER:

A handwritten signature in black ink, appearing to read "Bruce Guntan". The signature is written in a cursive, flowing style.

United States Magistrate Judge